

# Exhibit C

**United States District Court  
Eastern District of Wisconsin (Milwaukee)  
CIVIL DOCKET FOR CASE #: 2:18-cv-01867-PP**

Mimo-Jannoy et al v. Froedtert South  
Assigned to: Judge Pamela Pepper  
Demand: \$350,000  
Case in other court: Illinois Northern, 1:18-cv-06297  
Cause: 28:1331 Fed. Question

Date Filed: 11/27/2018  
Date Terminated: 07/12/2019  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Francisco Mimo-Lannoy**

represented by **Francisco Mimo-Lannoy**  
3308 N Manor Dr  
Lansing, IL 60438  
917-402-4924  
PRO SE

**Plaintiff****Steven Mimo-Lannoy**

represented by **Steven Mimo-Lannoy**  
3308 N Manor Dr  
Lansing, IL 60438  
PRO SE

V.


**Defendant****Froedtert South**

represented by **Katherine Ann Rodosky**  
Schueler Dallavo & Casieri  
233 S Wacker Dr – Ste 5230  
Chicago, IL 60613  
312-831-1091  
Email: [krodosky@sdcc-atty.com](mailto:krodosky@sdcc-atty.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vincent M Casieri**  
Schueler Dallavo & Casieri  
233 S Wacker Dr – Ste 6150  
Chicago, IL 60606  
312-831-1090  
Fax: 312-831-4144  
Email: [vcasieri@sdcc-atty.com](mailto:vcasieri@sdcc-atty.com)  
**TERMINATED: 05/08/2019**

Date Filed	#	Docket Text
09/14/2018	<u>1</u>	COMPLAINT filed by Francisco Mimo-Jannoy, Steven Mimo-Jannoy; Jury Demand. (nsf, ) [Transferred from ilnd on 11/27/2018.] (Entered: 09/18/2018)
09/14/2018	<u>2</u>	CIVIL Cover Sheet (nsf, ) [Transferred from ilnd on 11/27/2018.] (Entered: 09/18/2018)
09/14/2018	<u>3</u>	PRO SE Appearance by Plaintiff Francisco Mimo-Jannoy. (nsf, ) [Transferred from ilnd on 11/27/2018.] (Entered: 09/18/2018)
09/14/2018		SUMMONS Issued as to Defendant Froedter South (nsf, ) [Transferred from ilnd on 11/27/2018.] (Entered: 09/18/2018)
10/09/2018	<u>5</u>	ATTORNEY Appearance for Defendant Froedter South by Katherine Ann Rodosky (Rodosky, Katherine) [Transferred from ilnd on 11/27/2018.]

10/09/2018	<u>6</u>	MOTION by Defendant Froedter South for extension of time to file answer <i>or otherwise plead</i> (Rodosky, Katherine) [Transferred from ilnd on 11/27/2018.]
10/09/2018	<u>7</u>	NOTICE of Motion by Katherine Ann Rodosky for presentment of motion for extension of time to file answer <u>6</u> before Honorable Matthew F. Kennelly on 10/23/2018 at 09:30 AM. (Rodosky, Katherine) [Transferred from ilnd on 11/27/2018.]
10/15/2018	<u>8</u>	ORDER: Plaintiffs have filed a pro se complaint, and defendant has appeared by counsel. Defendant's motion for extension of time <u>6</u> is granted, and the hearing date of 10/23/2018 is vacated. Defendant is given until 11/7/2018 to respond to plaintiffs' complaints. The case is set for a status hearing on 11/19/2018 at 9:30 a.m. in Judge Kennelly's courtroom (Room 2103). If plaintiffs fail to appear at that time, the case may be dismissed for want of prosecution. Signed by the Honorable Matthew F. Kennelly on 10/15/2018. Mailed notice (yap, ) [Transferred from ilnd on 11/27/2018.]
11/07/2018	<u>9</u>	MOTION by Defendant Froedter South to dismiss <i>Plaintiffs' Complaint</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Rodosky, Katherine) [Transferred from ilnd on 11/27/2018.]
11/07/2018	<u>10</u>	NOTICE of Motion by Katherine Ann Rodosky for presentment of motion to dismiss <u>9</u> before Honorable Matthew F. Kennelly on 11/19/2018 at 09:30 AM. (Rodosky, Katherine) [Transferred from ilnd on 11/27/2018.]
11/19/2018	<u>11</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing and motion hearing held on 11/19/2018. Motion to dismiss <u>9</u> is entered and continued to a status hearing set for 11/26/2018 at 9:30 a.m. Mailed notice. (png, ) [Transferred from ilnd on 11/27/2018.]
11/19/2018	<u>12</u>	AMENDED complaint by Francisco Mimo–Jannoy against All Defendants. (yap, ) [Transferred from ilnd on 11/27/2018.]
11/26/2018	<u>13</u>	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing and motion hearing held on 11/26/2018. Pursuant to 28 U.S.C. 1406(a), case is transferred forthwith to the Eastern District of Wisconsin, a district where case could have been brought. Motion to dismiss <u>9</u> is denied without prejudice and the amended complaint <u>12</u> is stricken for reasons stated in open court. Mailed notice. (png, ) [Transferred from ilnd on 11/27/2018.]
11/26/2018	<u>14</u>	TRANSFERRED to the Eastern District of Wisconsin the electronic record. (yap, ) [Transferred from ilnd on 11/27/2018.]
11/27/2018	<u>15</u>	Case transferred in from District of Illinois Northern; Case Number 1:18–cv–06297. Original file certified copy of transfer order and docket sheet received.
11/27/2018		NOTICE Regarding assignment of this matter to Magistrate Judge Nancy Joseph and Magistrate Judge Nancy Joseph ;Consent/refusal forms for Magistrate Judge Joseph to be filed within 21 days;the consent/refusal form is available on our website (jcl)
11/28/2018	<u>16</u>	LETTER from the clerk to plaintiffs re Consent/Refusal to Magistrate Judge Joseph and requesting that the consent/refusal form be filed within 21 days (jcl)
11/30/2018	<u>17</u>	NOTICE of Appearance by Vincent M Casieri on behalf of Froedter South. Attorney(s) appearing: VINCENT M. CASIERI (Casieri, Vincent)
12/03/2018		NOTICE from the clerk to DEFENDANT; Froedter South requesting that the Consent/Refusal form to Magistrate Judge Nancy Joseph be filed within 21 days; the form is available at the court's web site: <a href="http://www.wied.uscourts.gov">www.wied.uscourts.gov</a> (asc)
12/10/2018	<u>18</u>	Magistrate Judge Jurisdiction Form filed by Francisco Mimo–Jannoy. (NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.) (asc) (Entered: 12/11/2018)
12/17/2018	<u>20</u>	Magistrate Judge Jurisdiction Form filed by Steven Mimo–Jannoy. (NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.) (blr) (Entered: 12/18/2018)
12/18/2018	<u>19</u>	Magistrate Judge Jurisdiction Form filed by Froedter South. (NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.) (Casieri, Vincent)

12/18/2018		Case reassigned to Judge Pamela Pepper. Magistrate Judge Nancy Joseph no longer assigned to the case. (Mailed NEF to plaintiffs) (asc)
12/18/2018	<u>21</u>	ENTIRE MOTION AND EXHIBIT TO BE REFILED. INCORRECT EXHIBIT ATTACHED. <del>MOTION to Dismiss <i>Plaintiff's Complaint</i> by Froedter South. (Attachments: # <u>1</u> Exhibit A)(Casieri, Vincent) Modified on 12/19/2018 (amb).</del> Modified on 12/19/2018 (kmm).
12/19/2018	<u>22</u>	MOTION to Dismiss <i>Plaintiff's Complaint</i> by Froedter South. (Attachments: # <u>1</u> Exhibit A)(Casieri, Vincent) Modified on 12/20/2018 (amb).
12/27/2018	<u>23</u>	MOTION to Amend Complaint AND RESPONSE to <u>21</u> Motion to dismiss by Francisco Mimo-Lannoy, Steven Mimo-Lannoy. (Attachments: # <u>1</u> Proposed Amended Complaint)(amb)
12/28/2018	<u>24</u>	NOTICE of Hearing: Rule 16 Scheduling Conference set for 4/24/2019 at 9:00 AM by telephone before Judge Pamela Pepper. Parties wishing to appear by phone may do so by calling the court's conference line at 888-557-8511 and using access code 4893665#. Rule 26 Discovery Plan due by 4/10/2019. (cc: all counsel, via mail to Francisco and Steven Mimo-Lannoy)(cb)
01/17/2019	<u>25</u>	REPLY BRIEF in Support filed by Froedter South re <u>23</u> MOTION to Amend/Correct . (Attachments: # <u>1</u> Certificate of Service Notice of Filing and Certificate of Service of Reply to Plaintiffs' Response to the Motion to Dismiss)(Casieri, Vincent)
02/01/2019	<u>26</u>	DISCLOSURE Statement by Froedter South. (Attachments: # <u>1</u> Certificate of Service Certificate of Service of Civil L. R. 7.1 Disclosure Statement)(Casieri, Vincent)
03/19/2019	<u>27</u>	Joint Initial Status Report. (Casieri, Vincent) Modified on 3/20/2019 (amb).
04/05/2019	<u>28</u>	INITIAL DISCLOSURES filed by Francisco Mimo-Lannoy, Steven Mimo-Lannoy.(amb) (Entered: 04/08/2019)
04/22/2019	<u>29</u>	NOTICE of Appearance by Katherine Ann Rodosky on behalf of Froedter South. Attorney(s) appearing: Katherine A. Rodosky (Rodosky, Katherine)
04/24/2019	<u>30</u>	 Audio of Scheduling Conference held on 4/24/2019 at 9:03 a.m.; File Size(29.6 MB) (cb)
04/24/2019	<u>32</u>	Minute and Order Entry for proceedings held before Judge Pamela Pepper: Scheduling Conference held on 4/24/2019. <u>22</u> Defendant's motion to dismiss GRANTED. <u>23</u> Plaintiffs' motion to amend/correct DENIED. Plaintiffs may file amended complaint by 5/24/2019. (cb) (Entered: 05/03/2019)
05/02/2019	<u>31</u>	DISREGARD. SEE <u>33</u> . <del>PROPOSED AMENDED COMPLAINT from Francisco Mimo-Lannoy, Steven Mimo-Lannoy.</del> (amb) Modified on 5/3/2019 (amb).
05/02/2019	<u>33</u>	AMENDED COMPLAINT with Jury Demand against Froedter South filed by Francisco Mimo-Lannoy, Steven Mimo-Lannoy.(amb) (Entered: 05/03/2019)
05/08/2019	<u>34</u>	NOTICE of Substitution by Vincent M Casieri on behalf of Froedter South. Attorney Vincent M. Casieri to be termed. (Casieri, Vincent)
05/24/2019	<u>35</u>	MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> by Froedter South. (Attachments: # <u>1</u> Exhibit A)(Rodosky, Katherine)
06/13/2019	<u>36</u>	RESPONSE to Motion filed by Francisco Mimo-Lannoy, Steven Mimo-Lannoy re <u>35</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> . (Attachments: # <u>1</u> Bookmarked Exhibits)(amb)
06/24/2019	<u>37</u>	REPLY BRIEF in Support filed by Froedter South re <u>35</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> . (Attachments: # <u>1</u> Exhibit A)(Rodosky, Katherine) Modified on 6/25/2019 (amb).
06/24/2019	<u>38</u>	NOTICE by Froedter South <i>Notice of Filing</i> (Rodosky, Katherine)
07/11/2019	<u>39</u>	SUPPLEMENTAL RESPONSE to Motion filed by Francisco Mimo-Lannoy, Steven Mimo-Lannoy re <u>35</u> MOTION to Dismiss <i>Plaintiff's Amended Complaint</i> . (Attachments: # <u>1</u> Bookmarked Exhibits)(amb)

07/12/2019	<u>40</u>	ORDER signed by Judge Pamela Pepper on 7/12/2019 <b>GRANTING</b> <u>35</u> Motion to Dismiss Plaintiffs' Amended Complaint. (cc: all counsel and copy sent to the plaintiffs by US Mail on 7/12/2019) (kgw)
07/12/2019	<u>41</u>	JUDGMENT approved and signed by Judge Pamela Pepper and signed by Deputy Clerk on 7/12/2019 in favor of Froedtert South against Francisco Mimo-Lannoy, Steven Mimo-Lannoy. (cc: all counsel and copy sent to the plaintiffs by US Mail on 7/12/2019)(kgw)

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

FRANCISCO MIMO-LANNOY AND STEVEN  
MIMO-LANNOY

Plaintiffs,

vs.

FROEDTERT SOUTH, INC

Defendant.

CASE No.: 18-CV-1867

**RESPONSE TO MOTION TO DISMISS**

On Motion to dismiss presented by Defendant on December 19<sup>th</sup>, 2018; Defendant made the assumption the claim under Title II of the Civil Rights Act, was based on the plaintiffs' sexual orientation.

Plaintiff Francisco Mimo-Lannoy belongs to a racial minority protected under Title II of the Civil Rights Act, therefore discrimination under Title II of the Civil Rights Act does apply, furthermore, there are other federal statutes violated by Defendant, hence the Federal question portion of the complaint does remain and it is more extensive than initially expressed by the plaintiffs in the original complaint.

The Plaintiffs ask the honorable court to deny Motion to Dismiss from Defendant and grant Plaintiff the right to proceed with the trial by Jury they have requested.

**MOTION TO AMEND ORIGINAL COMPLAINT**

As stated in the motion to dismiss filed with this honorable court by Defendant on December 19th, 2018; plaintiffs' original complaint was incomplete.

Therefore, Plaintiffs request this honorable court to allow him to expand/amend the original complaint to specify all the categories of federal law in question under this complaint, so we can move on to the requested trial and Plaintiffs can demonstrate that, in fact, the violation of several federal statutes did occur.

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

**UNITED STATES DISTRICT COURT**  
for the  
Eastern District of Wisconsin

Francisco J. Mimo-Lannoy <i>Plaintiff(s)</i>	)	Case No. 18-CV-1867 <i>(to be filled in by the Clerk's Office)</i>
	)	
	)	
	)	
	)	Jury Trial: <i>(check one)</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	)	
	)	
-v-	)	
	)	
	)	
	)	
Froedtert South, INC.	)	
	)	
	)	
	)	

**AMENDED COMPLAINT FOR A CIVIL CASE**

**I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Francisco J. Mimo-Lannoy
Street Address	3308 N Manor Dr.
City and County	Lansing and Cook
State and Zip Code	IL 60438
Telephone Number	917-4024924
E-mail Address	<a href="mailto:fjmimo@yahoo.com">fjmimo@yahoo.com</a>

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	Froedtert South, INC,
Street Address	6308 8th Ave
City and County	Kenosha and Kenosha
State and Zip Code	WI 53143
Telephone Number	262-6562111

**II. Basis for Jurisdiction**

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question ☒ Diversity of citizenship

**A. If the Basis for Jurisdiction Is a Federal Question**

Complaint is filed under code 440 Civil Rights – Other Civil Rights

The specific federal statuses violated by defendant are:

Title II of the Civil Rights Act of 1964  
Section 1557 of the Affordable Care Act (ACA)  
Title III of the American With Disabilities Act

Plaintiffs will demonstrate in court that Defendant violated Plaintiff's rights under the three federal statuses mentioned above.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

1. The Plaintiff(s)



Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

The plaintiff, **Francisco J. Mimo-Lannoy**, is a citizen of the  
State of **Illinois**.

2. The Defendant

The defendant, **Froedtert South, INC.**, is incorporated under  
the laws of the State of **Wisconsin**, and has its  
principal place of business in the State of **Wisconsin**.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\$350,000 in damages to the plaintiff, plus \$150,000 in punitive damages.

### III. Statement of Claim

On January 14, 2018. Plaintiff was taken by ambulance into St. Catherine's hospital in Pleasant Prairie, WI - owned and operated by Defendant - after a tubbing accident, with some sort of back injury. Defendant was refused the presence of his husband in the ER room where he was, even though, Plaintiff asked the attending nurse for his husband to be there with him twice. Plaintiff's husband was allowed in the ER only after Plaintiff's husband caused a scene in the ER waiting area and the personnel to avoid a commotion let him in, otherwise Plaintiff would have been denied his right to have his husband beside him during his stay at Defendant's ER.

### IV. Relief

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Plaintiff filed a complaint with the Department of Human Rights of Wisconsin, defendant basically mocked Plaintiff with a laughable explanation of the discrimination Plaintiff suffered, Plaintiff felt such ridiculous explanation added insult to injury and clearly showed Defendant's disregard for Plaintiff's claim. Beyond that Plaintiff was not presented with any results of any investigation to his complaint or any remedies to ensure the situation will not occur again.

Plaintiff asks the court to grant \$350,000 in damages, plus \$150,000 in punitive damages, plus request Defendant to implement mandatory sensitivity and illegal discrimination training to all customer facing staff.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: \_\_\_\_December 27<sup>th</sup> 2018

Signature of Plaintiff \_\_\_\_\_

Printed Name of Plaintiff Francisco Mimo-Lannoy

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

Court Minutes and Order

DATE: April 24, 2019  
JUDGE: Pamela Pepper  
CASE NO: 2018-cv-1867  
CASE NAME: Francisco Mimo-Lannoy, *et al.* v. Froedtert South  
NATURE OF HEARING: Scheduling Conference  
APPEARANCES: Francisco Mimo-Lannoy – Plaintiff  
Steven Mimo-Lannoy – Plaintiff  
Katherine Rodosky – Attorney for the defendant  
COURTROOM DEPUTY: Chrissy Bongel  
TIME: 9:03 A.M. – 9:45 A.M.

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**AUDIO OF THIS HEARING AT DKT. NO. 30**

The court reviewed the case history, noting that it had been transferred here from the Northern District of Illinois. It noted that there were two pending motions—the defendant’s motion to dismiss the case for failure to state a claim (Dkt. No. 22) and the plaintiff’s (or plaintiffs’—the court wasn’t sure if both spouses intended to remain in the case) motion to amend the complaint and response to the motion to dismiss (dkt. no. 23). The court observed that if it granted the plaintiffs’ motion to amend the complaint, the amended complaint would moot the motion to dismiss. Accordingly, the court focused its analysis on whether the proposed amended complaint stated a claim for which a federal court could grant relief.

The court recounted that the amended complaint alleged that in refusing to allow Steven Mimo-Lannoy into the emergency room after his husband Francisco asked (more than once), the defendant had violated three federal statutes: Title II of the Civil Rights Act of 1964; Section 1557 of the Affordable Care Act; and Title III of the Americans with Disabilities Act. The court explained that the facts alleged in the proposed amended complaint did not violate any of those statutes. The court explained that federal courts are courts of general jurisdiction, and that they do not have jurisdiction over certain causes of action. While the court did have jurisdiction over claims under Title II of the Civil Rights Act, that statute prevents discrimination based on race, national origin or religion; the plaintiffs had alleged that the defendant discriminated against them based on sexual orientation, which was not protected by Title II. While it had jurisdiction over causes of action under the Affordable Care Act, the plaintiffs had not alleged facts supporting a claim that they were covered or were denied medical care. While the court had jurisdiction over claims under the Americans with Disabilities Act, the injury plaintiff Francisco Mimo-Lannoy suffered which required him to go to the hospital did not qualify as a “disability.” Because the amended complaint did not state claims under these statutes, the court explained, it had to deny the motion to amend as futile. It also had to grant the defendant’s motion to dismiss the

original complaint, because it did not state a claim for which relief could be granted. The court stated, however, that it would give the plaintiffs a deadline by which to amend the complaint, if they believed that they could state a claim for which a federal court could grant relief.

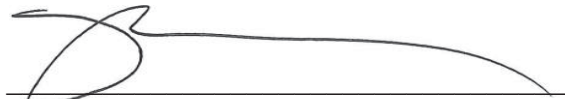
The court **DENIES** the plaintiffs' motion for leave to file an amended complaint. Dkt. No. 23.

The court **GRANTS** the defendant's motion to dismiss. Dkt. No. 22.

The court **ORDERS** that if the plaintiffs choose to file an amended complaint, they must do so no later than the end of the day on Friday, May 24, 2019. Failure to file an amended complaint by that date will result in the court dismissing the case with prejudice.

Dated in Milwaukee, Wisconsin this 24th day of April, 2019.

**BY THE COURT:**

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**

PP

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

UNITED STATES DISTRICT COURT

2019 MAY -2 P 12: 03

for the

STEPHEN C. DRIES  
CLERK

Eastern District of Wisconsin

Francisco J. Mimo-Lannoy

Steven H. Mimo-Lannoy

-v-

Froedtert South, INC.

Case No. 18-CV-1867

Jury Trial: ☒ Yes ☐ No

AMENDED COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Plaintiff 1

Name	Francisco J. Mimo-Lannoy and Steven H. Mimo-Lannoy
Street Address	3308 N Manor Dr.
City and County	Lansing and Cook
State and Zip Code	IL 60438
Telephone Number	917-4024924
E-mail Address	<a href="mailto:fjmimo@yahoo.com">fjmimo@yahoo.com</a>

Plaintiff 2

Name	Steven H. Mimo-Lannoy
Street Address	3308 N Manor Dr.
City and County	Lansing and Cook
State and Zip Code	IL 60438
Telephone Number	312-5150530
E-mail Address	steven.lannoy@yahoo.com

**B. The Defendant(s)**

Defendant No. 1

Name	Froedtert South, INC,
Street Address	6308 8th Ave
City and County	Kenosha and Kenosha
State and Zip Code	WI 53143
Telephone Number	262-6562111

**II. Basis for Jurisdiction**

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☒ Diversity of citizenship

**A. If the Basis for Jurisdiction Is a Federal Question**

Complaint is filed under code 440 Civil Rights – Other Civil Rights

Since Defendant is a hospital contracting with Medicare, it is to comply with all federal regulations derived from such contract.

The specific federal regulation violated by defendant is:

42 CFR § 482.13 Standards a, b, c, e and h

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

1. The Plaintiff(s)

The plaintiffs, **Francisco J. and Steven H. Mimo-Lannoy**, are citizens of the  
State of **Illinois**

2. The Defendant

The defendant, **Froedtert South, INC.**, is incorporated under  
the laws of the State of **Wisconsin**, and has its  
principal place of business in the State of **Wisconsin.**

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\$350,000 in damages to the plaintiff, plus \$150,000 in punitive damages.

### III. Statement of Claim

On January 14, 2018, Plaintiff was taken by ambulance into St. Catherine's hospital in Pleasant Prairie, WI - owned and operated by Defendant - after a tubbing accident, with some sort of back injury.

Defendant was refused the presence of his husband in the ER room where he was, even though, Plaintiff asked the attending nurse for his husband to be there with him twice.

Plaintiff Francisco Mimo-Lannoy was placed in a state of seclusion arbitrarily by Defendant, when Plaintiff had shown no reason to prompt such action.

Plaintiff's husband was allowed in the ER only after Plaintiff's husband caused a scene in the ER waiting area and the personnel to avoid the commotion let him in, otherwise Plaintiff would have been denied his right to have his husband beside him during his stay at Defendant's ER.

Plaintiff Steven Mimo-Lannoy even was told the reason they could not bring him to his husband was the room where Francisco was located was too small. ER room 5, where Plaintiff Francisco Mimo-Lannoy was placed at, is so big; it even has its own bathroom.

Defendant failed to handle the grievance originally presented to them in an appropriate manner, defendant has also failed to produce a report showing the result of such grievance investigation.

Defendant has violated the rights of the Plaintiff by committing the alleged discrimination, but also after being notified of the grievance by Plaintiffs, therefore acting in a manner that denotes negligence and disregard for the Plaintiffs treatment.

### IV. Relief

Defendant was notified of the grievance before any complaints were filed, Defendant failed to inform Plaintiffs of the Hospital's grievance procedure and furthermore, it has failed to produce a report indicating any findings produced by a formal investigation of the Plaintiffs' complaint.

Plaintiff filed a complaint with the Department of Human Rights of Wisconsin, defendant basically mocked Plaintiff with a laughable explanation of the discrimination and rights violations Plaintiffs suffered, while showing no proof whatsoever of Defendant's explanation, in violation of federal regulations.

Plaintiff felt such ridiculous explanation added insult to injury and clearly showed Defendant's disregard for Plaintiff's claim. Beyond that, at this instance, Plaintiffs were still not presented with any results of any investigation to his complaint or any remedies to ensure the situation will not occur again.

Plaintiff asks the court to grant \$350,000 in damages, plus \$150,000 in punitive damages, plus request Defendant to implement mandatory sensitivity and illegal discrimination training to all customer facing staff.



**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: April 26<sup>th</sup>, 2019

Signature of Plaintiffs s/ Francisco J. Mimo-Lannoy  
s/Steven H..Mimo-Lannoy

Printed Name of Plaintiffs Francisco J. Mimo-Lannoy  
Steven H..Mimo-Lannoy